



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

September 7, 2012

Mr. Tom Steffens
U.S. Army Corps of Engineers
Regulatory Field Office
Post Office Box 1000
Washington, NC 27889-1000

Mr. Stephen Lane
N. C. Dept. of Env. and Natural Resources
Division of Coastal Management
400 Commerce Avenue
Morehead City, NC 28557

Dear Sirs:

Subject: Request for Modification to Individual Section 404 and 401 permits, CAMA Major Development Permit, and Tar-Pamlico Riparian Buffer Authorization for the proposed Washington Bypass. US 17 from North of SR 1509 (Springs Road) to North of SR 1418 (Roberson Road). TIP Number: R-2510C, Federal Aid Project MAF-75-3(26). Debit \$570 from WBS Element No. 34440.1.1.

References: R-2510 Section 404 Individual Permit issued January 17, 2006 (USAID 199301143);
R-2510 Section 401 Water Quality Certification and Tar-Pamlico Riparian Buffer Authorization issued September 6, 2005 (DWQ No.050785);
R-2510 CAMA Major Development Permit issued March 6, 2007 (CAMA permit No. 29-07);

The purpose of this document is to submit a modification request for the Clean Water Act (CWA) Section 404 Individual Permit and Section 401 Water Quality Certification, Tar-Pam Riparian Buffer Authorization, and the CAMA Major Permit. An additional permit drawing/buffer drawing is included in this modification request.

Permit Site Impacted

Permit Site 5A:

Additional buffer and stream impacts will result due to the need to realign pipe structure # 172 at Station 257+00 +/- with the existing jurisdictional stream. After discussion with the contractor, looking at future maintenance issues and long term stream impacts, we propose to remove the flared end section, construct a drainage structure including frame & grate, grade this area to drain to the grate, install additional pipe from the drainage structure to the 30 feet clear zone, and to place Class "B" rip rap at the outlet of the pipe. This would require additional buffer impacts of 25 feet long by 10 feet wide for a total of 250 sq.ft. (Zone 1 only). This would also require an additional 10 linear feet of stream impacts to pipe this area.

Including these additions, total impacts for R-2510C are now: 1,240 linear feet of stream, 156,174 sq.ft. of riparian buffers (102,817 sq.ft. Zone 1, 53,357 sq.ft. Zone 2). Wetland impacts are unchanged.

Additionally, the Department requests the modified permit for this project have an extended expiration date of December 31, 2013.

Compensatory Mitigation

The unavoidable additional impacts to 10 linear feet of stream a permit site 5A are below the 150 linear feet threshold and therefore compensatory mitigation is not proposed. Additional impacts to riparian buffers are below the 1/3 acre or 150 linear feet threshold and therefore compensatory mitigation is not proposed.

Regulatory Approvals

Section 404: The USACE has determined that the above-described activities will not require modification of the 404 permit however the extended expiration date will. We are, therefore, requesting the modification of the USACE Individual 404 Permit issued January 17, 2006 (USAID 199301143).

Section 401: We are hereby requesting a modification to the 401 Water Quality Certification from the NCDWQ issued September 6, 2005 (DWQ No.050785). In compliance with Section 143-215.3D (e) of the NCAC, we will provide \$570.00 to act as payment for processing the Section 401 permit modification. We are providing five (5) copies of this modification request to the NCDWQ, for their approval.

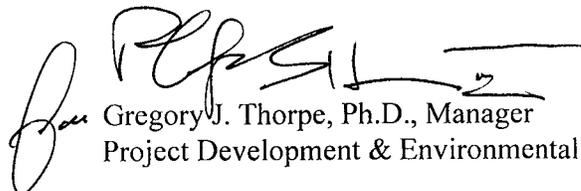
Tar-Pamlico Riparian Buffer Authorization: We are hereby requesting a modification to the Tar-Pamlico Riparian Buffer Authorization from the NCDWQ issued September 6, 2005 (DWQ No.050785).

CAMA: The NCDOT respectfully requests that the referenced CAMA Major Development Permit be modified to reflect the changes in jurisdictional impacts as outlined in this letter and presented in the attached revised drawings.

A copy of this modification request will be posted on the NCDOT website at:
<https://connect.ncdot.gov/resources/Environmental>

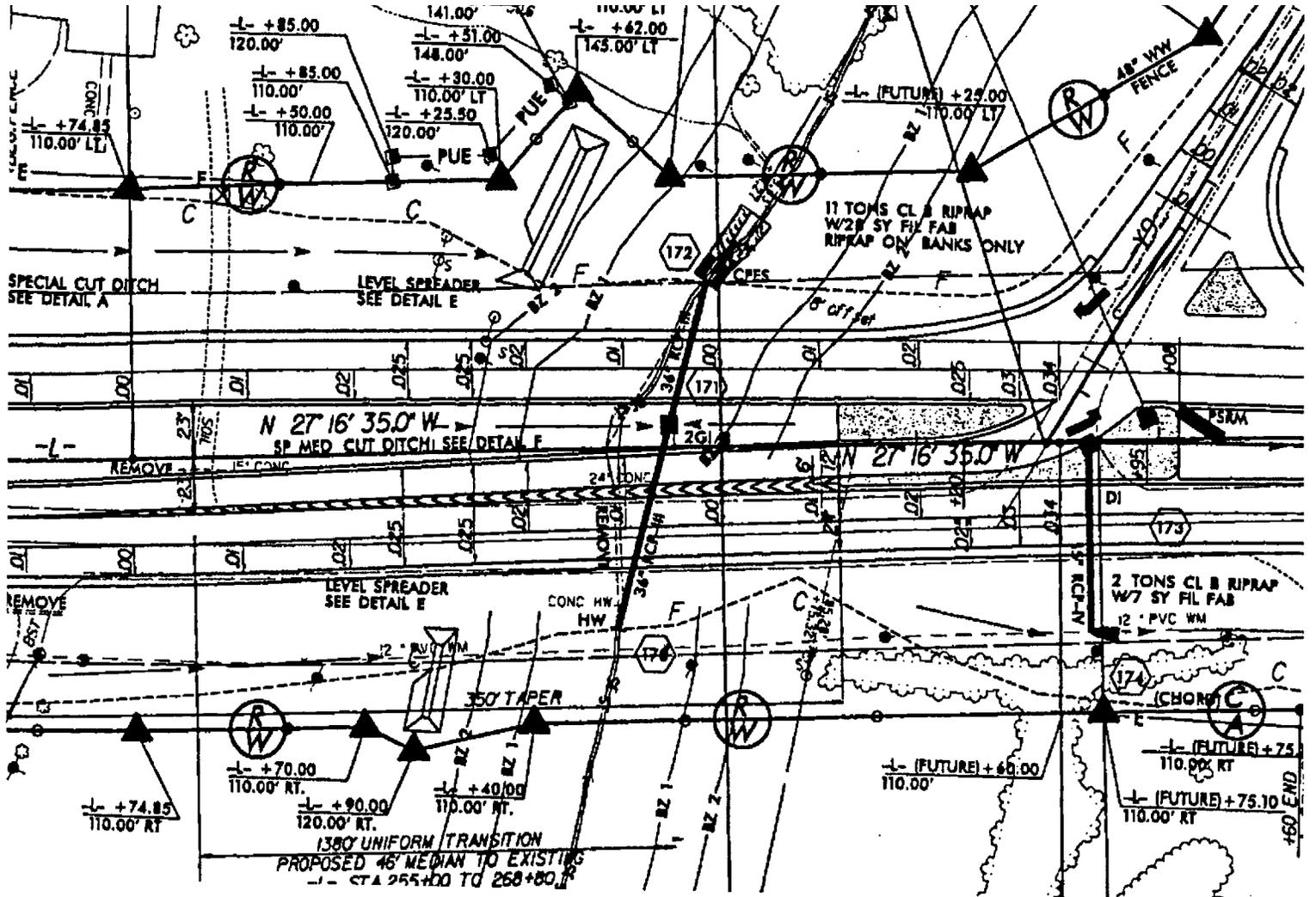
If you have any questions or need additional information, please contact Chris Rivenbark at (919) 707-6152 or crivenbark@ncdot.gov.

Sincerely,



Gregory J. Thorpe, Ph.D., Manager
Project Development & Environmental Analysis Unit

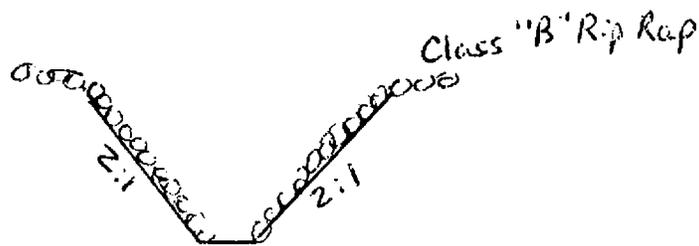
cc list: NCDOT Permit Application Standard Distribution List.



Site SA (Blow-up)

Permit Drawing
Sheet 32A of 42

Buffer Drawing
Sheet 27A of 36



10 Linear Feet of the stream surface water would be impacted by piping 10' additional with a 36" RCP Class III pipe. There would be additional BZ1 impacts due to shaping eroded stream bank to a 2:1 slope and lining with Class B Rip Rap.